

REMARKS

In the Restriction Requirement mailed March 3, 2006, the Examiner has restricted the claims to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-37, drawn to a microarray, classified in class 435, subclass 287.2.
- II. Claims 38-102, drawn to method of making a microarray, classified in class 435, subclass 174.

Applicant elects, with traverse, the claims of Group I (claims 1-37).

Election of Species

The Restriction Requirement further makes an election of species requirement, specifically:

- 1) Claims 38-75 an oxidized surface treated to form an amine surface, and
- 2) Claims 76-102 a metal surface treated to form a thiolated amine.

It is submitted that this requirement for election of species is moot, since claims 38-102 have not been elected.

RESPONSE TO RESTRICTION REQUIREMENT

Serial Number: 10/643,871

Filing Date: August 20, 2003

Title: METHODS FOR COVALENTLY ATTACHING PROTEINS TO SUBSTRATES

Page 15

Dkt: 1863.062US1

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (516) 795-6820 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

MARY ANNE NELSON ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(516) 795-6820

Date May 3, 2006

By Thomas J. Brennan, Reg. No. 35,075
Robin A. Chadwick
Reg. No. 36,477

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 3rd day of May, 2006.

CANDIS BUENDING

Name

Signature

Candis Buending